

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

LISA EDWARDS,	)	
	)	
Plaintiff,	)	CASE NO.:
	)	
PARK HOTELS & RESORTS INC. d/b/a	)	
EMBASSY SUITES BY HILTON,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

COMES NOW Defendant, Hilton Management LLC, by counsel, Edward W. Hearn and Catherine Breitweiser-Hurst of JOHNSON & BELL, P.C., pursuant to Title 28 U.S.C. §§ 1332, 1441 and 1446, and hereby file its Notice of Removal of the cause entitled Lisa Edwards v. Hilton Management LLC, filed in St. Joseph County Superior Court, South Bend, Indiana under Cause Number 71D07-2207-CT-000267. As grounds for removal, Defendant states the following:

1. Plaintiff commenced an action against Park Hotels & Resorts Inc. d/b/a Embassy Suites by Hilton, which named Defendant was subsequently changed by Plaintiff through Motion to name Hilton Management LLC as Defendant under Cause Number 71D07-2207-CT-000267. A true and accurate copy of the Complaint and Order granting Plaintiff's Motion to Amend are attached hereto and made part of this Notice of Removal as "Exhibit A".

2. In an effort to determine the amount in controversy in this matter, Defendant served Plaintiff's attorney with a request to stipulate that the amount in controversy was less than seventy-five thousand dollars (\$75,000.00). Defendant further indicated that if the stipulation was signed, Defendant would not seek to remove the case to federal court. The correspondence further noted that, if Defense counsel did not receive a response by September 5, 2022, Defense counsel would

recommend his client move forward with removal. (*See* Exhibit B Correspondence to Plaintiff counsel re stipulation).

3. On September 1, 2022, Plaintiff's attorney Rom Byron confirmed that the amount in controversy exceeds seventy-five thousand dollars \$75,000.00. (*See* Exhibit C, Correspondence from Plaintiff's attorney)

4. On September 1, 2022 therefore, Defendant first ascertained the case is one which is or has become removable when the Plaintiff advised that the amount in controversy exceeds seventy-five thousand dollars (\$75,000.00). This Notice is filed within thirty (30) days of receipt of Plaintiff's correspondence confirming the amount in controversy. (*See* Exhibit C).

5. Defendant Hilton Management LLC's sole member is Hilton Domestic Operating Company Inc. Hilton Domestic Operating Company Inc. is incorporated in the state of Delaware and has its principal place of business in Virginia.

6. For purposes of removal, Hilton Management LLC is a citizen of both Delaware and Virginia. *Carden v. Arkoma Associates*, 494 U.S. 185 (1998); *Cosgrove v. Bartolotta*, 150 F.3d 729 (7<sup>th</sup> Cir. 1998); *Belleville Catering Co. v. Champaign Market Place, LLC*, 350 F.3d 691 (7<sup>th</sup> Cir. 2003).

7. Plaintiff is a citizen of Michigan.

8. This Court has original jurisdiction over the underlying State Court case pursuant to the provisions of 28 U.S.C. Section 1332(a), which states that District Courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000.00 and is between citizens of different states. Further, for the reasons stated in the previous paragraphs, this action may be removed pursuant to the provisions of 28 U.S.C. Section

1441 and Section 1446 because the matter in controversy exceeds the sum of seventy-five thousand dollars (\$75,000.00), exclusive of costs and interest, and is between citizens of different states.

9. Upon filing this Notice for Removal, the Defendant will give written notice of the filing of this Notice for Removal to all attorneys of record and the Clerk of the St. Joseph County Court.

10. Pursuant to 28 U.S.C. Section 1446(a), accompanying this Notice shall be Plaintiff's Complaint (Exhibit A) and Summons (Exhibit A-1). The deadline for Defendant to answer Plaintiff's Complaint is September 16, 2022, and has not yet been filed.

11. The Defendant demands a trial by jury on all issues triable by jury.

Respectfully submitted,

/s/ Edward W. Hearn  
Edward W. Hearn, #18691-64  
Catherine Breitweiser-Hurst, #26779-45  
JOHNSON & BELL, P.C.  
11041 Broadway  
Crown Point, IN 46307  
(219) 791-1900  
*Attorneys for Defendant*

### **CERTIFICATE OF SERVICE**

I certify that on September 2, 2022, I electronically filed the foregoing document using CM/ECF.

I also certify that on September 2, 2022, the foregoing document was served upon the following person(s) via CM/ECF.

Rom Byron  
rom@kennunn.com

/s/ Edward W. Hearn

